

AMENDMENT OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application.

1. (currently amended) A food product comprising a pasteurized hydrated, edible food item, said food product being at a temperature state of less than 10 ° C, wherein said stored food product comprises encapsulated, dormant, hydrated nontoxic microorganisms that are effectively dormant up to temperatures of about 10 ° C., and wherein, if the food product reaches a temperature above 10 ° C., said nontoxic microorganisms release by-products into said food product that inhibit the growth of harmful microorganisms.
2. (original) The food product of claim 1 wherein the microorganisms, when no longer dormant, inhibit the growth of toxic microorganisms within the food product by producing an acid, thereby lowering the pH of the food product.
3. (original) The food product of claim 1 wherein the microorganisms comprise a bacteria belonging to a genera selected from the group consisting of *Lactococcus*, *Streptococcus*, *Leuconostoc*, *Pediococcus*, *Lactobacillus*, *Bifidobacterium*, and *Propionibacterium*.
4. (original) The food product of claim 1 wherein the microorganisms comprise a bacteria selected from the group consisting of *Pediococcus acidilactici*, *Lactobacillus bulgaricus*, *Lactobacillus plantarum*, *Lactobacillus acidophilus*, *Lactobacillus helveticus*, *Lactobacillus salivarius*, *Leuconostoc citrovorum*, *Streptococcus cremoris*, *Streptococcus diacetylactis*, and *Streptococcus lactis*.
5. (original) The food product of claim 1 wherein the microorganisms comprise *Streptococcus thermophilus* bacteria.

6. (original) The food product of claim 1 wherein the microorganisms, when no longer dormant, inhibit the growth of toxic microorganisms within the food product by producing one or more antibiotics.
7. (original) The food product of claim 1 wherein the hydrated, edible food item comprises a liquid.
8. (original) The food product of claim 1 wherein the hydrated, edible food item comprises a sauce.
9. (original) The food product of claim 1 wherein the hydrated, edible food item comprises a filled dough product.
10. (original) The food product of claim 1 wherein the food product after pasteurization is sealed within a container.
11. (cancelled).
12. (currently amended) The food product of ~~claim 11~~ claim 1 wherein the encapsulation material comprises a food item.
13. (original) The food product of claim 12 wherein the encapsulation material comprises a fat.
14. (currently amended) The food product of ~~claim 11~~ claim 1 wherein the encapsulation material comprises an edible polymer.

15. (currently amended) The food product of ~~claim 11~~ claim 1 wherein the encapsulation material forms a sachet.
16. (original) The food item of claim 10 wherein the food product is stored in an anaerobic environment.
17. (original) The food product of claim 1 wherein the edible food item comprises an egg roll.
18. (original) The food product of claim 1 wherein the edible food item comprises filled ravioli.
19. (original) The food product of claim 1 wherein the edible food item comprises juice.
20. (original) The food product of claim 1 wherein the edible food item comprises a dairy product.
21. (original) The food product of claim 2, wherein the food product has an initial pH above 5.4 and comprises nontoxic microorganisms that cause the food product to have a pH of 5.4 within 120 hours at an incubation temperature of 32.2° C.
22. (original) The food product of claim 1 wherein the food product comprises greater than about 10^4 CFU/gm of the microorganisms.
23. (original) The food product of claim 1 wherein the food product comprises from about 10^6 CFU/gm to about 10^8 CFU/gm of the microorganisms.
- 24-30. (Cancelled)

31. (new) The food product of claim 1 wherein the encapsulation material comprises a methyl cellulose material.

32. (new) The food product of claim 1 wherein the encapsulation material comprises a hydroxy propyl methyl cellulose material.

33. (new) The food product of claim 1 wherein the microorganisms are provided in a freeze dried culture that is formed into a tablet with a hydroxy propyl methyl cellulose material.

34. (new) The food product of claim 1 wherein the microorganisms are provided in a freeze dried culture that is placed within a sachet formed from a hydroxy propyl methyl cellulose material.

35. (new) The food product of claim 1 wherein the encapsulation material dissolves prior to the food product reaching a temperature state above 10° C.

36. (new) The food product of claim 1 wherein the encapsulation material forms a gel that keeps the microorganisms from dispersing when the food product is at temperature below 10° C., and wherein the gel releases the microorganisms when the food product reaches a temperature above about 10° C.